

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Zev Carter	Team: Squad #3	CCRB Case #: 201807395	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Thursday 08/02/2018 11:55 PM	18 Mo. SOL 02-02-2020	EO SOL 02-02-2020	Location of Incident: Lenox Road and East 52nd Street		Precinct: 67
Date/Time CV Reported Thu, 09/06/2018 3:23 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 09/06/2018 3:23 PM		

Complainant/Victim	Type	Home Address
1. D [REDACTED] B [REDACTED]	Comp/Victim	[REDACTED] Lenox Road Apt [REDACTED] Brooklyn NY 11203
2. J [REDACTED] B [REDACTED]	Victim	[REDACTED] Lenox Road Apt. [REDACTED] Brooklyn NY 11203
3. N [REDACTED] D [REDACTED]	Victim	[REDACTED] Lenox Road Apt. [REDACTED] Brooklyn NY 11203
4. K [REDACTED] B [REDACTED]	Victim	[REDACTED] Lenox Road Apt. [REDACTED] Brooklyn NY 11203
5. An individual	Comp/Victim	Unknown

Witness(es)	Home Address
1. M [REDACTED] B [REDACTED]	[REDACTED] Lenox Road Apt. [REDACTED] Brooklyn NY 11203
2. N [REDACTED] Unknown	Unknown

Subject Officer(s)	Shield	TaxID	Command
1. Officers			
2. POM R [REDACTED] R [REDACTED]	[REDACTED]	[REDACTED]	067 PCT
3. POM Joseph Bautista	113	954534	067 PCT
4. An officer			
5. SGT M [REDACTED] S [REDACTED]	[REDACTED]	[REDACTED]	NARCBBS
6. POM J [REDACTED] V [REDACTED]	[REDACTED]	[REDACTED]	067 PCT

Officer(s)	Allegation	Investigator Recommendation
A . Officers	Abuse of Authority: Officers stopped N [REDACTED] D [REDACTED]	A . Closed - Pending Litigation
B . An officer	Abuse of Authority: An officer frisked N [REDACTED] D [REDACTED]	B . Closed - Pending Litigation
C . POM Joseph Bautista	Force: Police Officer Joseph Bautista used force against N [REDACTED] D [REDACTED]	C . Closed - Pending Litigation
D . POM J [REDACTED] V [REDACTED]	Force: Police Officer J [REDACTED] V [REDACTED] used force against N [REDACTED] D [REDACTED]	D . Closed - Pending Litigation
E . SGT M [REDACTED] S [REDACTED]	Force: Sergeant M [REDACTED] S [REDACTED] used force against N [REDACTED] D [REDACTED]	E . Closed - Pending Litigation
F . An officer	Force: An officer used physical force against N [REDACTED] D [REDACTED]	F . Closed - Pending Litigation
G . An officer	Force: An officer used physical force against J [REDACTED] B [REDACTED]	G . Closed - Pending Litigation
H . POM Joseph Bautista	Force: Police Officer Joseph Bautista used force against D [REDACTED] B [REDACTED]	H . Closed - Pending Litigation
I . An officer	Force: An officer used physical force against D [REDACTED] B [REDACTED]	I . Closed - Pending Litigation
J . An officer	Force: An officer used force against K [REDACTED] B [REDACTED]	J . Closed - Pending Litigation

Officer(s)	Allegation	Investigator Recommendation
K . POM R [REDACTED] R [REDACTED]	Discourtesy: Police Officer R [REDACTED] R [REDACTED] spoke discourteously to an individual.	K . Closed - Pending Litigation
L . SGT M [REDACTED] S [REDACTED]	Discourtesy: Sergeant M [REDACTED] S [REDACTED] spoke discourteously to N [REDACTED] D [REDACTED]	L . Closed - Pending Litigation
M . POM J [REDACTED] V [REDACTED]	Abuse of Authority: Police Officer J [REDACTED] V [REDACTED] threatened an individual with the use of force.	M . Closed - Pending Litigation

Case Summary

On September 6, 2018, D [REDACTED] B [REDACTED] filed this complaint with the CCRB over the phone on behalf of herself, N [REDACTED] D [REDACTED] and K [REDACTED] and J [REDACTED] B [REDACTED]. This case contains body-worn camera footage.

Mr. D [REDACTED] was arrested as a result of this incident and remains incarcerated. Mr. D [REDACTED] is represented by S [REDACTED] J [REDACTED] of the Federal Defenders of New York. On December 3, 2018, the undersigned investigator attempted to contact Mr. J [REDACTED] by phone and email to request to interview Mr. D [REDACTED]. That day, Mr. J [REDACTED] sent an email stating that Mr. D [REDACTED] criminal case is still pending, and that the CCRB should not interview Mr. D [REDACTED] until a final disposition on his case is reached. On December 5, 2018, the undersigned investigator emailed Mr. J [REDACTED] to inquire as to when Mr. D [REDACTED] next court date is, and to ask if a disposition was expected to be reached on that date. On December 13, 2018, Mr. J [REDACTED] replied that Mr. D [REDACTED]'s next court date is in mid-February for an evidentiary hearing, and that his case is not expected to be closed for at least six months.

D [REDACTED] B [REDACTED] provided an in-person statement regarding this incident before Mr. J [REDACTED] requested that the case be closed as pending litigation. Most of the allegations in this complaint concern Mr. D [REDACTED] and the incident itself began with Mr. D [REDACTED] being stopped by officers. On December 17, 2018, the undersigned investigator spoke to Ms. B [REDACTED] who agreed that the investigation be closed pending litigation.

Given that Mr. D [REDACTED] is incarcerated with a pending criminal case and his attorney objected to him being interviewed, it is recommended that this case be **closed – pending litigation**.

Squad No.: _____

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date